

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DUSTIN SHEELER,

Plaintiff

v.

COUNSELOR CHERRY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:24-cv-00326

(MEHALCHICK, J.)

ORDER

AND NOW, this 13th day of March, 2025, upon preliminary consideration of the amended complaint ([Doc. 26](#)), and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. The amended complaint ([Doc. 26](#)) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
2. The Pennsylvania Department of Corrections is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii).
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this Order is deemed frivolous and not in good faith. *See* [28 U.S.C. § 1915\(a\)\(3\)](#).

s/ Karoline Mehalchick

KAROLINE MEHALCHICK
United States District Judge